

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

In re	§	
	§	
JOHN E. ATKINS,	§	Case No. 18-33591-SHB
	§	Chapter 7
Debtor.	§	

MOTION TO APPROVE COMPROMISE AND NOTICE OF SALE

NOTICE OF HEARING

Notice is hereby given that:

A hearing will be held on the **Trustee's Motion to Approve Compromise and Notice of Sale** on **Thursday, April 11, 2019 at 9:00 a.m.** in the Bankruptcy Courtroom 1-C, Howard H. Baker, Jr., U.S. Courthouse, 800 Market Street, Knoxville, Tennessee 37902.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

Comes now the Trustee and for his Motion to Approve Compromise and Notice of Sale states as follows:

1. The Movant is the Chapter 7 Trustee in this case.
2. The Debtor listed real property located at 343 Rhodes Rd., New Market, TN ("Real Property") in his petition filed November 26, 2018. The Real Property consists of two parcels (Parcels 8.01 & 9.00 - see attached Exhibit A - Legal Description). The property is jointly owned (50/50) with the Debtor's father, Denver Atkins, who also owns the mobile home on the property. The scheduled value of the real property is \$5,000.00.
3. The Trustee's auctioneer assessed the value of the Real Property to between \$20,000 - \$30,000 (minus the cost to move the mobile home). There are no known liens on the property.

4. The Trustee has received an offer from the Debtor to settle the estate's interest in the Real Property for \$10,000.00 payable over a six (6) month period. The balance will be secured via a Promissory Note. The Real Property shall not be abandoned until said Note is paid in full. If the Debtor fails to make the required payments, the Trustee may auction/sell the estate's interest to recover the balance due.
5. The Trustee believes that \$10,000.00 is a fair and reasonable sum to resolve the estate's interest in the Real Property as it would eliminate the additional time and expenses associated with auctioning the property and removing the mobile home and it will allow a dividend to allowed claimants.

WHEREFORE, upon notice and hearing, the Trustee prays that the Court enter an order authorizing the Trustee to enter into the compromise and to sell the estate's interest in the Real Property described herein to the Debtor for \$10,000.00 or for such other and further relief to which the Trustee may be entitled.

Dated this 11th day of March, 2019.

/s/ John P. Newton, Jr.
John P. Newton, Jr., Esq.
Attorney for the Trustee
Law Offices of Mayer & Newton
South Tower, Suite S-570
1111 Northshore Drive
Knoxville, Tennessee 37919
(865) 588-5111

CERTIFICATE OF SERVICE

I, John P. Newton, Jr. certify that a true and correct copy of the foregoing Motion to Approve Compromise and Notice of Sale along with the Proposed Order has been served on the following via Electronic Case Filing (ECF) and/or U.S. Mail (with sufficient postage to insure delivery) on this the 11th day of March, 2019.

Tiffany DiIorio (ECF)
Office of the U.S. Trustee

Brent S. Snyder, Esq. (ECF)
Attorney for Debtor

See attached mailing matrix (USM)

/s/ John P. Newton, Jr.
John P. Newton, Jr., Esq.

INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY
PO BOX 7346
PHILADELPHIA, PA 19101-7346

PRA Receivables Management,
PO Box 41021
Norfolk, VA 23541-1021

BMO
PO Box 71951
Chicago, IL 60694-1951

BMO Harris Bank, N.A.
PO Box 3040
Cedar Rapids, IA 52406-3040

BANK OF AMERICA
PO BOX 982238
EL PASO, TX 79998-2238

Belk
PO Box 530940
Atlanta, GA 30353-0940

Best Buy
PO Box 9001007
Louisville, KY 40290-1007

Comdata
5301 Maryland Way
Brentwood, TN 37027-5028

Cooperative Financial
180 Old Nashville Hwy
La Vergne, TN 37086-2813

David's Tire
4625 Rutledge Pike
Knoxville, TN 37914-3201

Discover
PO Box 6105
Carol Stream, IL 60197-6105

FNB Equipment Finance
1853 Hwy 315
Pittston, PA 18640-6101

First Tennessee Bank
PO Box 385
Memphis, TN 38101-0385

Home Depot
PO Box 9001010
Louisville, KY 40290-1010

Home Federal Bank
PO Box 790408
Saint Louis, MO 63179-0408

J&DA Trucking, LLC
PO Box 174
New Market, TN 37820-0174

JB&B Capital
1111 Northshore Dr
P-270
Knoxville, TN 37919-2801

JC Penney
PO Box 965009
Orlando, FL 32896-5009

Lowe's
PO Box 30914
Atlanta, GA 30353-0914

Lowe's
PO Box 530970
Atlanta, GA 30353-0970

Rogers Petroleum
PO Box 1714
Morristown, TN 37816-1714

Sam's Club
PO Box 965004
Orlando, FL 32896-5004

Sears
PO Box 78051
Phoenix, AZ 85062-8051

TN Dept. of Revenue
c/o Tennessee Attorney
Bankruptcy Division
P.O. Box 20207
Nashville, TN 37202-4015

U.S. Department of Justice
Tax Division, CTS Eastern Reg.
P.O. Box 227
Ben Franklin Station
Washington, DC 20044-0227

Worldwide Equipment
6614 Wilbanks Rd
Knoxville, TN 37912-1313

John Eric Atkins
332 Rhodes Rd
New Market, TN 37820-4809